

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

AT BECKLEY

BELLWOOD CORP. et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 5:21-cv-00320

CARTER BANK & TRUST et al.,

Defendants.

**ORDER**

Pending is Defendants Carter Bank & Trust *et al.*'s Motion for Bifurcated Rule 12 Briefing [Doc. 40], filed June 17, 2021. Plaintiffs Bellwood Corp. *et al.* do not oppose bifurcation. [Doc. 42 at 2]. However, Plaintiffs do request a 30-day extension to respond pursuant to *Local Rule of Civil Procedure* 7.1(a)(7). [*Id.*].

Accordingly, the Court **GRANTS** Defendants' Motion for Bifurcated Rule 12 Briefing. [**Doc. 40**]. The Defendants' deadline to file Rule 12(b)(6) motions is stayed pending the resolution of the Rule 12(b)(2) and (3) motions. The Court directs that Plaintiffs file their response within 30 days of Defendants filing their 12(b)(2) and (3) motion.

The Clerk is directed to send a copy of this written opinion and order to counsel of record and to any unrepresented party.

ENTERED: July 6, 2021



*Frank W. Volk*  
Frank W. Volk  
United States District Judge